

**NATIONAL RIGHT TO WORK LEGAL DEFENSE FOUNDATION, INC.**  
8001 BRADDOCK ROAD, SUITE 600, SPRINGFIELD, VIRGINIA 22160 • (703) 321-9510

RECEIVED  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

**BRUCE N. CAMERON, J.D.**

*Admitted MA, GA and DC only*

2008 OCT 28 A 9 29

bnc@nrtw.org  
fax (703)321-9319

October 27, 2008

*Hand delivered*

Thomasenia P. Duncan, Esq.  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

MUR # 6124

**Re: Glass, Casaretto, the National Right to Work Legal Defense and Education Foundation, Inc. and Service Employees International Union, MUR No.**

**Dear Ms. Duncan:**

You will find enclosed an original and three copies of a sworn complaint by Karen Glass, Michael R. Casaretto, and the National Right to Work Legal Defense and Education Foundation, Inc., against the Service Employees International Union.

Please return a stamped "Filed" copy of the sworn complaint by the above complainants in the enclosed self-addressed, stamped envelope.

Thank you for your attention to this matter.

Very truly yours,

Bruce N. Cameron

BNC/njr  
enclosures

cc: Karen Glass  
Michael R. Casaretto

10044271522



**NATIONAL RIGHT TO WORK LEGAL DEFENSE FOUNDATION, INC.**  
8001 BRADDOCK ROAD, SUITE 600, SPRINGFIELD, VIRGINIA 22160 • (703) 321-8510

**BRUCE N. CAMERON, J.D.**

*Admitted MA, GA and DC only*

bnc@nrtw.org

fax (703)321-9319

October 30, 2008

*Hand delivered*

Jeff Jordan

Office of Complaints Examination

and Legal Administration

Federal Election Commission

999 E Street, N.W.

Room 652

Washington, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2008 OCT 31 A 9 35

Re: *Glass, Casaretto, the National Right to Work Legal Defense and Education  
Foundation, Inc. and Service Employees International Union, MUR No.*

Dear Mr. Jordan:

In accord with our conversation, please find an original and three copies of the promised affidavit from Mr. Casaretto. I am working on obtaining a similar affidavit from Ms. Glass.

Very truly yours,

Bruce N. Cameron

njr

BNC/njr  
enclosures

cc: Michael Casaretto  
Karen Glass

10044271523

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
**FEDERAL ELECTION COMMISSION  
UNITED STATES OF AMERICA**

700 OCT 28 A 9 29

**Karen Glass, Michael R. Casaretto, and the National Right  
to Work Legal Defense and Education Foundation, Inc.,**

*Complainants,*

**and**

**Service Employees International Union,**

*Respondent.*

MUR No.

6124

**COMPLAINT**

***Facts:***

1. Complainant Karen Glass of Mukwonago, Wisconsin, is a permanent part-time food service employee of the School District of Kettle Moraine in Wales, Wisconsin. Ms. Glass has worked for the district for over three years. She is a member of the bargaining unit represented by Service Employees International Union ("SEIU") Local 150. As a condition of her employment, she must financially support SEIU Local 150 and its affiliates, including the Respondent Service Employees International Union.
2. Complainant Michael R. Casaretto is a law student at Regent University School of Law participating in the Right to Work Practicum as part of his law degree work. He has researched the matters set forth in this complaint and has verified his findings in this complaint.
3. Complainant National Right to Work Legal Defense and Education Foundation, Inc., provides free legal aid to employees who suffer an abuse of compulsory unionism. An abuse of compulsory unionism includes the mis-expenditure of the dues and fees of employees who are

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required to join or financially support a labor union as a condition of employment.

4. Respondent Service Employees International Union is a labor organization as defined in 2 U.S.C. § 441b(b)(1). SEIU derives the majority of its general treasury funds from employees who work under collective bargaining agreements which compel them to join or financially support SEIU as a condition of employment.

5. During its 2008 convention in San Juan, Puerto Rico, SEIU amended its constitution to impose on each of its locals (such as Local 150) an "annual SEIU COPE fundraising obligation" in an amount equal to six dollars for every member of the local. SEIU Committee on Political Education ("COPE") is SEIU's federal political action committee ("PAC") organization. If a local is not able to raise this constitutionally mandated amount, that local will be individually liable for the shortfall plus a 50 percent penalty (or another amount deemed appropriate by the SEIU International Executive Board) for not contributing the amount mandated by the SEIU's constitution.

6. Based on this constitutional amendment, SEIU expects to be paid at least nine million dollars by its locals to support the SEIU COPE (based on current membership levels and the required amount per employee).

7. Attached to this complaint is the constitutional amendment (Constitutional Amendment #317) discussed above. On June 3, 2008, this constitutional amendment was accepted by the delegates to the SEIU convention and given immediate effect so that it could affect the 2008 federal elections. Also attached is a copy of a blog entry created by delegates to the 2008 SEIU International Convention which provides the details of the convention votes.

8. The result is that SEIU COPE funds are being contributed, not freely, but out of fear of imposition of a financial penalty.


**Law:**

9. 2 U.S.C. § 441b(b)(3)(A) specifically prohibits a labor union from collecting and expending funds for a political action committee "by utilizing money ... secured by ... financial reprisals, or the threat of ... financial reprisal."

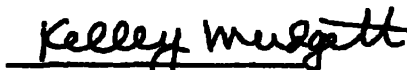
**Conclusion:**

10. When SEIU threatened financial penalties on its local unions for not meeting their SEIU COPE goals, SEIU violated 2 U.S.C. § 441b(b)(3)(A) by threatening or making a financial reprisal against the local unions (and their bargaining unit members) to raise money used in connection with SEIU's expenditures for the election of candidates to federal office.

**Verification as to the facts in paragraph 1:**

  
Karen Glass

Before me, a Notary Public in and for the State of Wisconsin, personally appeared Karen Glass who swore that the contents of this Affidavit are true and subscribed to the same on the line provided for her signature.

  
Notary Public

My commission expires: 11-21-10

**Verification as to the facts in paragraphs 2-8:**

  
Michael R. Casaretto

Before me, a Notary Public in and for the Commonwealth of Virginia, personally appeared

Michael R. Casaretto who swore that the contents of this Affidavit are true and subscribed to the same on the line provided for his signature.

*Lorena C. Campbell*  
Notary Public

My commission expires: \_\_\_\_\_

Names and addresses of complainants:

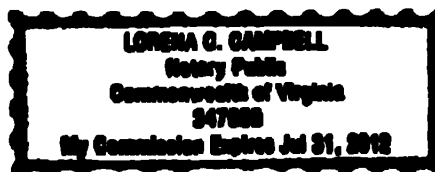
Karen Glass

Mukwonago, Wisconsin 53149

Michael Casaretto

Virginia Beach, Virginia 23464

National Right to Work Legal Defense  
and Education Foundation, Inc.  
8001 Braddock Road  
Springfield, Virginia 22160



Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to be "Bruce N. Cameron".

Bruce N. Cameron (D.C. Bar No. 380850)  
William Messenger (VA Bar No. 47179)  
c/o National Right to Work Legal  
Defense Foundation  
8001 Braddock Road  
Springfield, Virginia 22160  
(703) 321-8510  
*Attorneys for Complainants*

Dated: October 27, 2008

**Article XV  
DUTIES OF LOCAL UNIONS**

**Amend Section 18 of Article XV regarding funding for the Union's political education and action program:**

Section 18a. Every U.S. Local Union shall contribute an annual amount equivalent to at least ~~\$7.20~~ \$6.00 per member per year, or as determined annually by the International Executive Board, to support the overall SEIU political education and action program. ~~to be allocated between the International, state councils and local unions as determined by the International Executive Board on an annual basis. This amount can be comprised of local union funds, voluntary member contributions to C.O.P.E. This annual SEIU COPE fundraising obligation may be satisfied by voluntary member contributions to SEIU COPE or a designated organization approved by the International President or a combination thereof. A goal of every local union shall be to enroll and maintain at least 20 percent of its members as voluntary participants in an employer check-off or regular deduction program assigned to SEIU C.O.P.E. or to an organization approved by the International President. All contributions to SEIU C.O.P.E. collected by local unions shall be sent to SEIU C.O.P.E. Any contributions in excess of \$3.60~~ \$6.00 per member per year or such other amount as determined by the International Executive Board shall be returned to the local union for its political program. If a Local Union fails to meet its annual SEIU COPE fundraising obligation, it shall contribute an amount in local union funds equal to the deficiency plus 50%, or such other amount determined by the International Executive Board, to support the overall SEIU political education and action program.

b. A goal of every local union shall be to enroll and maintain at least 20 percent of its members as voluntary participants in an employer check-off or regular deduction program assigned to SEIU C.O.P.E. or to an organization approved by the International President.

# SEIU HEALTHCARE

in Healthcare, Labor and Politics

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## Delegate Live Blog - Tuesday, June 3

June 3rd, 2008



Michael Rivera reporting from the convention floor in San Juan, Puerto Rico.

- 7:09 p.m.** All of the "Stern Team" was nominated, ran unopposed, and were elected. The convention is adjourned.
- 6:40 p.m.** We are back in the convention hall. We walked out to boycott Andy Stern's re-election because we don't agree with the direction he's taking the union.
- Now we're listening to nominating speeches for other SEIU officers.
- 6:19 p.m.** Role call fails. Officer elections begin as UHW walks out
- 6:15 p.m.** 206 passes but Larry Bevin, from Local 1000, asks for a role call vote on the amendment AND GETS ONE.
- 5:58 p.m.** Local 1000 member moves to extend debate 40 minutes. Motion is defeated but locals are divided within their ranks as members from 503, 1000, 521, 49 and 1199 and several others rose to extend the debate. Michael Fennison, UHW delegate, rises to ask that the debate be extended 15 minutes and the motion divides the delegates almost evenly; so much so that members from almost every local are represented in favor of continuing the debate. There is so much commotion around the motion and the call for a role call vote that Andy Stern cedes and extends debate 15 minutes.
- My heart is pounding. Leaders of unions who spoke against the motion were watching their delegates stand in favor of extending the debate. This is very exciting.
- 5:43 p.m.** John Borsos, in a point of order, challenges Andy Stern for calling on 7 in favor and only 3 opposed and asks him to reaffirm his commitment to a fair and balanced debate and requests that time be extended to allow more people to speak in opposition.
- 5:36 p.m.** Ella Raiford, UHW delegate and nursing home worker, passionately pleaded with the delegates to "put themselves in our place. We chose our union. We chose where we wanted to be."
- 5:34 p.m.** Sal Rosselli is recognized to speak and chronicled the independent, local-by-local vote taken to create UHW West and the gains that ALL workers have enjoyed since the merger. He passionately pleaded people to keep attention on this issue and emphatically stated that we could not accept a pooled vote.
- 5:21 p.m.** John Borsos, UHW delegate, rose to ask if the chair was committed to hearing both sides of the debate as there have been no members called on who oppose. Andy Stern responded yes if they are able to respond.
- 5:19 p.m.** Dennis Rivera, chair of SEIU Healthcare, is recognized first to speak in support of 206a and immediately after he spoke, UHW Delegate Brenda Washington asks if other states will have to move their LTC workers out of their locals. Dave Regan couldn't provide a definitive yes or know as he stammered over his



## UNION!

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answer.

5:10 p.m. Dave Regan introduces to the floor Resolution 206a as delegates from UHW, in a dramatic show of solidarity, empty their seats to line up at the microphones.

[Editorial comment: 206a would force 65,000 long-term care workers out of UHW.]

5:05 p.m. 300a and 302 passed.

4:56 p.m. Commentary: I came to this convention expecting some level of choreography on the part of the International union but they really outdid themselves when resolution 203 hit the floor. The spirited debate we were promised on all issues didn't seem to apply to the "Justice for All" resolution put forward by the International. After just one argument in favor of the International's self-indulgent resolution, the question was called. I guess spirited debate has been redefined by the International.

4:48 p.m. Annelie Grajeda, of Local 721, introduces amendments 300a and 302.

[Editorial comment: 300a updates the SEIU Mission statement; 302 is in regards to Member Resource Centers.]

4:45 p.m. 203 passes as debate was closed after one argument in favor and one member rose to call the question

[Editorial comment: Resolution 203 was the final implementation of the Justice for All program.]

4:02 p.m. Dave Regan introduces resolution 204A to the floor. Debate begins.

[Editorial comment: Resolution 204a, establishing Member Resource Centers, passed.]

3:48 p.m. Damita Davis-Howard, President of SEIU 1021, presents video on the member resource center. Video says that the call centers are a way to deal with grievances in a streamlined process. The video features members from several locals talking about how great their experiences have been with the "resource center". It also features staff leaders talking about how the resource center allows staff to be freed up to do more actions and political work as well as allowing the union to enroll more people into COPE.

2:56 p.m. Floor debate on 103b After passionate testimony. 103b passes. Many SEIU members with family serving in Iraq gave testimony in support of the resolution. One gentleman from an unidentified local testified against a proposed amendment to 103b that would have stricken the last two bullet points, citing the loss of his son in Iraq and his concerns for his 15 year old son who "wants to be a Marine someday but for what I think are for the wrong reasons."

[Editorial comment: Resolution 103b states SEIU's position against the Iraq war.]

2:23 p.m. Resolutions 118 and 105A just passed.

[Editorial comment: Resolution 118 creates a role for nurses in developing public policy; Resolution 105A states SEIU's commitment to national healthcare reform.]

11:22 a.m. Resolution 317 is introduced to floor for debate. It passes.

11:03 a.m. Committee considered 201, 202, 211, and 212 but only recommends 201 and 202 for passage.

Damita Davis Howard moves to adopt 201 and 202.

201 and 202 both pass floor vote.

[Editorial comment: Resolution 201 is titled 'Building Our Political Strength to Change Workers' Lives.' Resolution 202 is titled

[Community Strength to Improve Workers Lives.] Both were submitted by the SEIU International Executive Board. Resolution 211 was submitted by UHW and is titled [Resolution on Lifting Workers Out of Poverty] would mandate using our political power to achieve a minimum of living wages, family health insurance, and a pension as contract standards. Resolution 212, [Member Political Leadership Builds Union Power] was also submitted by UHW. Resolution 211 was amended to 211(a) and referred to the IEB. Resolution 212 died in committee.]

10:40 a.m. Dennis Rivera, chair of SEIU Healthcare, speaks on COPE program. Momentum Awards given to Heather Webster of Local 49 in Oregon, Irlene Cohen of Local 775 in Washington, Local 721 in California, Michelle Huntly Local 200 United in New York. Innovation Award given to Oscar Sandoval, Local 1 of Canada. Cornerstone Awards given to Alfreda Simkins of 32BJ and to Barbara Casey and Porche Moy of Local 503 in Oregon.

The awards were designed to recognize creative approaches and new ideas. It's great to see that everyone here is so committed to our political work.

[Editorial comment: SEIU 1199 United Healthcare Workers East has the highest percentage of members on COPE in the nation. SEIU United Healthcare Workers West has the second highest.]

10:25 a.m. Monique Johnson from 1199 SEIU UHE testimonial on how they campaigned against Al Wynn because "He broke promises to working people for 16 years. "We knocked on 5000 doors for Donna Edwards." "We were sick and tired of being sick and tired, and we were sick and tired of Al Wynn's broken promises!" Monique introduces Donna Edwards.

10:21 a.m. Member Craig Johnson, from an unidentified local, is up on stage doing a rap about holding politicians accountable. Background music "Superstition."

10:14 a.m. Various workers have spoken about how political activism has helped workers lives.

9:34 a.m. Ray Martinez, member of Local 668 introduces Anna Burger, SEIU Secretary-Treasurer. Anna leads us into a video with some great clips of JFK and Dr. Martin Luther King.

Anna spoke of her upbringing and talked about when her father was disabled and how her neighbors understood their responsibility to everyone in their community. "They understood that we have to take care of each other and not be focused on amassing more and more things than they will ever need." "Justice isn't just for some of us it's for all of us." "People around the world are counting on us to make tough decisions."

These words make perfect sense to me. I think the best approach to achieving our goals for justice is to have an open debate and discussion and to make sure members are always involved.

The remainder of her speech focused on EFCA and importance of political work. She mentioned victories with progressive candidates and goals such as childcare, tax reform, and others.

[Editorial comment: EFCA is the Employee Free Choice Act, which would improve workers rights and enhance their ability to form a union.]

9:32 p.m. Rocío Saenz, President of 615, who is from Mexico, speaks about uniting against large multinationals. She stated that when janitors in Houston were in a struggle, members at 615 had no doubts that they would send aid. She said "We all have a struggle for justice."

9:15 a.m. Video continues commenting on multinationals buying up daycare centers. A worker talks about how workers had to fight corporate lobbyist for reform.

9:11 a.m. Video presentation: Worker in Chicago on video talking about the

abuses of Wackenhut. Tom Balanoff, President of Local 1, talks about the problems with multinational employers. Chicago worker tells how he flew overseas to meet with his counterparts in India. He visited other security officers and learned about similar struggles.

9:05 a.m. Convention opens

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